

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

**Financial Assistance for Community-based Habitat Restoration National and Regional Partnerships**

AGENCY: National Marine Fisheries Service (NOAA Fisheries), Office of Habitat Conservation, Restoration Division.

ACTION: Notice of availability of funds.

CATALOGUE OF FEDERAL DOMESTIC ASSISTANCE NUMBER: The NOAA Community-based Restoration Program (CRP) is described in the "Catalogue of Federal Domestic Assistance," under program number 11.463, Habitat Conservation.

DATES: Applications for partnership funding under the CRP must be received by or postmarked by December 5, 2003. Applications received or postmarked after that time will not be considered for funding. Applications submitted via the U.S. Postal Service must have an official postmark; private metered postmarks are not acceptable. Applications delivered by a delivery service after the postmark date will be accepted for review if the applicant can document that the application was provided to the delivery service on or prior to the specified postmark cut-off date. In any event, applications received later than 15 business days following the closing date will not be accepted. No facsimile or electronic mail applications will be accepted.

SUMMARY: The purpose of this document is to invite the public to submit multi-year proposals for establishing innovative partnerships for up to 3 years with the NOAA Restoration Center (RC) at a national or regional level to further community-based habitat restoration that will benefit living marine resources including anadromous fish. NOAA envisions working jointly on such partnerships, through its Community-based Restoration Program (CRP), to select, competitively fund, and administer projects with substantial community involvement that restore NOAA trust resource habitats.

This document describes the types of habitat restoration partnerships that the RC envisions establishing, portrays the qualities that NOAA has found to be ideal in previously established partnerships, and describes criteria under which applications will be evaluated for funding consideration. Partnerships selected through this notice will be implemented through a grant, cooperative agreement or interagency transfer, and will involve joint selection and co-funding of multiple community-based habitat restoration projects as sub-awards made through the partner organization. Funding requested for establishing partnerships in FY 04 is expected to be greater than the funds available for this purpose and the selection process is anticipated to be highly competitive. Funding of up to \$7,000,000 is expected to be available for establishing habitat restoration partnerships in FY 2004, and annual funding is anticipated to maintain them for up to 3 years duration. The NOAA Restoration Center anticipates that typical partnership awards will range from \$200,000 to \$600,000 per year. This is not a request for individual community-based habitat restoration project proposals.

## **I. Funding Opportunity Description**

### **A. Program Description**

The CRP, a financial and technical Federal assistance program, promotes strong partnerships at the national, regional and local levels to fund grass-roots, community-based activities that restore living marine resources and their habitats and promote stewardship and a conservation ethic for NOAA trust resources. NOAA trust resources are living marine resources that include commercial and recreational fishery resources (marine fish and shellfish and their habitats); anadromous species (fish, such as salmon and striped bass, that spawn in freshwater and then migrate to the sea); endangered and threatened marine species and their habitats; marine mammals, turtles, and their habitats; marshes, mangroves, seagrass beds, coral reefs, and other coastal habitats; and resources associated with National Marine Sanctuaries and National Estuarine Research Reserves. Due to limited funding available to the CRP,

partnerships for habitats in the Great Lakes region are not covered by this solicitation.

The CRP's objective is to bring together citizen groups, public and nonprofit organizations, watershed groups, industry, corporations and businesses, youth conservation corps, students, landowners, academic institutions and local government, state, and federal agencies to cooperatively implement habitat restoration projects to benefit NOAA trust resources. Partnerships developed at national, regional and local levels contribute funding, land, technical assistance, workforce support or other in-kind services to promote citizen participation in the improvement of locally-important living marine resources and develop local stewardship and monitoring activities to sustain and evaluate the success of the restoration.

The CRP recognizes the significant role that partnerships can play in making habitat restoration happen within communities, and acknowledges that habitat restoration is often best implemented through technical and monetary support provided at a community level. Community-based restoration projects supported by the CRP are successful because they have significant local backing, depend upon citizens' hands-on involvement, and typically involve NOAA technical assistance or oversight. The role of NOAA in the CRP is to help identify potential restoration projects, strengthen the development and implementation of sound restoration projects within communities, and develop long-term, ongoing national and regional partnerships to support community-based restoration efforts of living marine resource habitats across a wide geographic area. For more information on the CRP, see Section IV. A. "Application Packages."

#### B. Restoration Partnership Mechanisms

The RC envisions working collaboratively to implement fisheries habitat restoration primarily through cooperative agreements, where potential national and regional partners apply for funds to work with the RC on a multi-year basis to identify, develop, implement and monitor community-based habitat restoration projects to benefit NOAA trust resources. Establishing

partnerships through a cooperative agreement mechanism or interagency transfer will involve joint selection and co-funding of numerous community-based habitat restoration projects as sub-awards made through the partner organization.

#### C. Statutory Authority

The Secretary of Commerce is authorized under the Fish and Wildlife Coordination Act, 16 U.S.C. 661, as amended by the Reorganization Plan No. 4 of 1970, to provide grants or cooperative agreements for fisheries habitat restoration.

## **II. Award Information**

#### A. Funding Availability

This solicitation announces that funding of up to \$7,000,000 is expected to be available for establishing habitat restoration partnerships with the NOAA Restoration Center in FY 2004. Annual funding is anticipated to maintain partnerships for up to 3 years duration, but is dependant on funding made available by Congress; funding for subsequent years will also depend on the performance of partners to successfully conduct partnership activities. NOAA anticipates that typical partnership awards will range from \$200,000 to \$600,000 for the formation of national and regional habitat restoration partnerships in FY 2004. NOAA will not accept proposals with a single year budget under \$100,000 or over \$1,700,000 under this solicitation. Funding requests to continue partnership activities in subsequent years may be scaled up from FY 2004 levels to \$2,000,000 in FY 2005, and to \$4,000,000 in FY 2006, however annual funding levels and any increases over FY 2004 levels for successful applicants will be dependent upon future budget increases provided by Congress, partnership success, and regional priorities.

In accordance with NOAA Community-based Restoration Program Guidelines (65 FR 16890, March 30, 2000), the Restoration Center Director (Director) will determine the proportion of funds available to the CRP on an annual basis that will be obligated to national and regional

partnerships each year. The number of partnership awards to be made as a result of this solicitation will depend on the number of eligible applications received, the amount of funds requested for initiating partnerships by the applicants, the merit and ranking of the proposals, and the amount of funds made available to the CRP by Congress. NOAA anticipates that between 5 and 15 awards will be made as a result of this solicitation.

There is no guarantee that sufficient funds will be available to initiate partnerships where funding has been recommended, and the number of national and regional partnerships established will be up to the discretion of the Director. The exact amount of funds that may be awarded to work within a habitat restoration partnership will be determined in pre-award negotiations between the applicant and NOAA representatives, and multi-year funding requests may be funded incrementally on an annual basis. Publication of this document does not obligate NOAA to establish any specific partnership proposed or to obligate all or any parts of the available funds for partnership activities.

In FY 2001 (the first year that 3-year partnerships were offered through the CRP), 14 national and regional partnership awards were made ranging from \$100,000 to \$1,700,000 for a total of \$5.5 million. In FY 2002, four additional 3-year regional partnership awards were made ranging from \$100,000 to \$350,000 for a total of \$780,000. Funds available to support partnerships in FY 2003 were dedicated to maintaining successful partnerships established in prior years, and no new partnerships were initiated.

#### B. Award Period

Applications for national and regional partnerships should cover a project period between 1 and 3 years. Multi-year project period requests may be funded incrementally on an annual basis, but once awarded, multi-year partnerships will not need to compete for funding in subsequent years. The intention of the CRP is to attract and maintain partnerships that will be ongoing and long-lasting; established partnerships are expected to continue through the duration

of the project period. If an application is selected and approved for funding under a partnership, NOAA has no obligation to provide additional funding in connection with this partnership in subsequent years. A recommendation to the NOAA Grants Management Division (GMD) to continue an award for a partnership in subsequent years, or to extend the period of performance, is at the total discretion of the Director.

Future opportunities for submitting proposals to the competitive process for developing multi-year, national and regional habitat restoration partnerships are anticipated, but will be dependent on CRP funding levels and on the performance of existing partners to successfully conduct partnership activities to identify, develop, evaluate, implement and monitor community-based fisheries habitat restoration projects.

The earliest date for receipt of awards will be approximately 120-150 days after the close of this solicitation; applicants should consider this selection and processing time in developing requested start dates for proposed restoration activities.

### C. Funding Instruments

Proposals selected for funding from non-federal applicants will be funded through a cooperative agreement under the terms of this document. For applications funded through cooperative agreements, substantial involvement of the federal government may include, but is not limited to, activities such as assisting national and regional partners to promote locally driven habitat restoration activities; cooperating with partners in project identification, evaluation and selection; conducting site visits and evaluating the performance of individual restoration projects sub-awarded through partnerships; supporting project partners to enhance their effectiveness in meeting stated restoration goals for improving fisheries habitat; providing project-specific permitting guidance and/or assistance; and involvement in public events to highlight restoration activities. Proposals selected for funding from a non-NOAA federal agency will be funded through an interagency transfer.

### **III. Eligibility Information**

#### **A. Eligible Applicants**

Eligible applicants are institutions of higher education, hospitals, other non-profits, commercial (for-profit) organizations, organizations under the jurisdiction of foreign governments, international organizations, state, local and Indian tribal governments. Applications from federal agencies will be considered. Before non-NOAA federal applicants may be funded, they must demonstrate that they have legal authority to receive funds from another federal agency in excess of their appropriation. Because this announcement is not proposing to procure goods or services from applicants, the Economy Act (31 U.S.C. 1535) is not an appropriate legal basis. Although federal agencies are eligible to apply under this solicitation, they are strongly encouraged to work with states, non-governmental organizations, national service clubs or youth corps organizations and others that are eligible to apply, rather than seeking partnership funding directly from the CRP.

The Department of Commerce National Oceanic and Atmospheric Administration (DOC/NOAA) is strongly committed to broadening the participation of Historically Black Colleges and Universities, Hispanic Serving Institutions, and Tribal Colleges and Universities in its educational and research programs. The DOC/NOAA vision, mission, and goals are to achieve full participation by Minority Serving Institutions (MSI) in order to advance the development of human potential, to strengthen the nation's capacity to provide high-quality education, and to increase opportunities for MSIs to participate in, and benefit from, Federal financial assistance programs. DOC/NOAA encourages proposals for innovative national and regional partnerships involving MSIs according to the criteria in this document, to strengthen the capacity of MSIs to foster student careers, research and workforce competitiveness in fisheries habitat restoration through identification, development, implementation and monitoring of on-the-ground community-based restoration projects on a national or regional scale.

## B. National and Regional Restoration Partnership Goals

NOAA is interested in developing multi-year national and regional partnerships that will lead to the accomplishment of on-the-ground, community-based restoration of marine, coastal and freshwater habitats to benefit living marine resources, including anadromous fish species. The primary goals of NOAA in establishing these partnerships, as described in this announcement and the CRP Guidelines (65 FR 16890, March 30 2000), are to restore living marine resource habitats; to involve community member volunteers in restoration activities to increase public awareness of the ecological value of fisheries habitat and foster a sense of community stewardship and pride for local restoration efforts; to develop and maintain long-term, ongoing, working relationships of mutual benefit by partnering on activities where the priorities and goals of partners overlap; to combine resources with national and regional partners to increase the geographic scope and rate at which habitat restoration can be conducted; and to collaborate on project identification, development, and selection for funding with partners that are able to coordinate and manage most or all aspects of restoration activities.

Successful applicants will be those whose partnership proposals are broad-reaching and demonstrate the potential for significant benefits to living marine resources across a large geographic area and/or according to a publically vetted, prioritized regional restoration plan or similar document to accomplish coordinated, strategic implementation of individual projects that will involve community participation. Applicants seeking to establish partnerships must demonstrate that restoration activities will be consistent with NOAA Fisheries goals outlined in this notice.

Proposals for both national and regional partnerships are encouraged. However, because regional partnerships are more focused in geographic scope, these applicants will be expected to demonstrate coordinated efforts among multiple groups such as universities, science centers, state and municipal agencies, watershed groups, local schools, civic groups



and non-governmental organizations. Applications for regional partnerships should involve a coalition that has or will develop joint goals and objectives to accomplish habitat restoration, and whose activities are expected to take place across a substantial and defined geographic region, such as the Chesapeake Bay watershed or the states that border the Gulf of Maine or the Gulf of Mexico, for example, and/or that will work within a prioritized framework to implement projects of greatest benefit in a comprehensive, strategic fashion.

### C. Ideal Partnership Qualities

The CRP has worked with a variety of partners on community-based fishery habitat restoration. Successful partnerships resulted where joint goals and priorities were most effectively accomplished through collaborative activities, including the pooling of financial and technical resources. The following narrative highlights the ideal qualities the CRP desires in working within national and regional community-based restoration partnerships based on the CRP's previous experience funding and working with national and regional habitat restoration partners. The following narrative illustrates aspects that will be considered in the evaluation of applications, but it is not intended to limit the scope of partnership proposals.

The CRP seeks partnerships to match NOAA cash contributions at a minimum of a 1:1 level overall, and will give priority to those partnerships that can provide cash match for project implementation funds at the national/regional level, before local contributions for specific projects are factored in. Providing cash match at the national/regional level for project implementation and a 1:1 match overall will enable a greater number of jointly evaluated and selected community-based habitat restoration projects to be implemented. The combined partnership investments are to be subsequently leveraged between 1 and 5 times once cash and in-kind contributions from local partners and volunteers are included. Ideally, NOAA's contribution under a partnership is used to co-fund competitive habitat restoration projects that benefit a wide range of NOAA trust resources over a substantial geographic area and/or that are designed to

address restoration in a coordinated, prioritized fashion within a well defined geographic region. NOAA and its partner(s) will jointly solicit for local, citizen-driven habitat restoration proposals, and identify, evaluate and prioritize individual projects for funding. Partnerships that do not propose a competitive process or do not rely on regional restoration planning for identifying priority projects may not score as well in the evaluation.

Partners will be expected to play a primary role in project development, the competitive solicitation of proposals, the coordination of joint reviews and evaluations of proposals, the award and administration of sub-grants, and the direct administrative oversight and routine review of funded projects. Partners will be expected to ensure that all work on individual projects will meet federal, state and local environmental permitting requirements prior to the use of federal funds for implementation and that projects will be adequately monitored to evaluate their success. Partners also will be expected to conduct all financial, administrative and contractual aspects of sub-awards, consistent with all applicable federal regulations and U.S. Department of Commerce/NOAA procedures and policies.

#### D. Restoration Expectations through the Sub-award Process

Projects funded under a partnership will be expected to have strong on-the-ground habitat restoration components that provide educational and social benefits for people and their communities in addition to long-term ecological habitat improvements for NOAA trust resources. NOAA recognizes that accomplishing restoration is a multi-faceted effort involving project design, engineering services, permitting, construction, oversight and monitoring. Therefore, to allow maximum flexibility under a partnership, applicants should avoid unduly restricting proposed activities to specific restoration phases or categories of cost.

Restoration is defined here as activities that contribute to the return of degraded or altered marine, estuarine, coastal and freshwater anadromous fish habitats to a close approximation of their condition prior to disturbance. Restoration may include, but is not limited

to, improvement of coastal wetland tidal exchange or reestablishment of historic hydrology; dam or berm removal; improvement or reestablishment of fish passage; reef/substrate/habitat creation; establishment of riparian buffer zones and improvement of freshwater habitat features that support anadromous fish; exclusionary fencing and planting; invasive species removal; planting of native coastal wetland and submerged aquatic vegetation; and enhancement of feeding, spawning and growth areas essential to marine or anadromous fish.

A partnership application may target the restoration of specific habitats or the use of certain restoration techniques, or focus work within certain geographic locations, if the restoration of these habitats or work with particular techniques or restoration in designated locations has been documented under an inclusive, regional planning effort to be a priority that is also consistent with the priorities of NOAA Fisheries. An example would be proposed restoration activities resulting from a regional planning or other process where multiple stakeholders have reached consensus and for which suitable documentation of the planning effort is included with the application.

Proposals for partnerships with a narrow restoration focus that will benefit limited resources or few user groups, that emphasize a single restoration component, such as only outreach, monitoring, or program coordination, that lack a competitive or comprehensive restoration planning element for identifying and selecting projects, or that request funding solely to support or increase general organizational activities, are discouraged. Similarly, applications for partnerships that would have limited NOAA involvement, or that seek to primarily support administration, salaries, overhead and travel are not considered ideal for the partnership development goals of the NOAA Restoration Center, and will be less likely to be selected for partnership agreements with the RC.

Priorities for habitat restoration partnership activities include: areas identified by NOAA Fisheries as essential fish habitat (EFH) and areas within EFH identified as Habitat Areas of

Particular Concern; areas identified as critical habitat for federally or state listed marine and anadromous species; areas identified as important habitat for marine mammals and turtles; watersheds or such other areas under conservation management as special management areas under state coastal management programs; and other important commercial or recreational marine fish habitat, including degraded areas that historically were important habitat for living marine resources.

#### E. Matching Requirements

The overall focus of the CRP is to provide seed money to individual projects that leverage funds and other contributions from a broad public and private sector to implement locally important habitat restoration to benefit living marine resources. To this end, applicants seeking national and regional partnerships with the RC are encouraged to demonstrate a minimum 1:1 non-Federal match overall for federal funds requested. Additionally, those partnerships that propose to provide a 1:1 cash match for project implementation funds at the national/regional level (before local, project-specific contributions are included) will be likely to score higher in the evaluation of project costs. While this is not a requirement, the RC strongly advises applicants to leverage as much investment as possible. Applicants with less than 1:1 match and those that do not have a cash match for project implementation funds at the national/regional level will not be disqualified, however applicants should note that cost sharing is an element considered in evaluation criteria #4. "Project Costs." Similarly, proposals that limit administrative costs to 15% at the national or regional level also will be likely to score higher on this criterion.

The match can come from a variety of public and private sources and can include in-kind goods and services. Federal funds may not be considered matching funds. Applicants are permitted to combine non-federal contributions from additional partners in order to meet the 1:1 match expected to establish a partnership, as long as the matching funds are not already being

used to match other funding sources and are available within the project period stated in the application. Applicants are also permitted to apply federally negotiated indirect costs in excess of federal share limits as described in Section IV. E. 2. "Indirect Costs".

Applicants whose proposals are selected for habitat restoration partnership funding will be bound by the percentage of cost sharing reflected in the award document signed by the NOAA Grants Officer. Successful applicants should be prepared to carefully document matching contributions, including the number of volunteer or community participation hours devoted to individual habitat restoration projects.

#### **IV. Application and Submission Information**

##### **A. Application Packages**

Information on the CRP, including examples of national and regional partnerships and community-based habitat restoration projects that have been funded to date, can be found on the world wide web at <http://www.nmfs.noaa.gov/habitat/restoration>. The standard NOAA application forms and instructions for applicants are accessible through this web site, or they can be obtained from the NOAA Restoration Center, Community-based Restoration Program, National Marine Fisheries Service, 1315 East West Highway (F/HC3), Silver Spring, MD 20910-3282, or requested by phone at (301)713-0174. Potential applicants are invited to contact NOAA Restoration Center staff before submitting an application to discuss the applicability of partnership ideas to the CRP's goals and objectives, and to request an application package that contains instructions for submitting NOAA standard grants applications and supplementary instructions specific to the CRP.

##### **B. Application Submission**

To apply, a complete NOAA grants application package should be submitted in accordance with the guidelines in this document. Each application should include all specified sections as follows: Cover sheet - an applicant must use Office of Management and budget

(OMB) Standard Form (SF) 424 as the cover sheet for each project; budget detail (SF-424A and budget justification narrative); grant assurances SF-424B and CD-511, and SF-LLL and CD-346 if applicable; narrative partnership description, curriculum vitae or resume of primary partnership personnel, and other supporting documentation relevant to the proposed partnership such as regional restoration planning documents.

Budgets must include a detailed breakdown by category of cost (object class) separated into federal and non-federal shares as they relate to specific aspects of the partnership, with appropriate justification for both the federal and non-federal shares. A separate SF-424A budget form should be used to break down multi-year budget requests into annual funding increments. Budget justifications should indicate if funding requests to support partnership activities have been submitted elsewhere, whether the funds requested are federal or non-federal, and what amount has been requested or secured from other sources to support partnership activities described in the application submitted to NOAA.

The narrative project description should be no more than 15 double-spaced pages long, in 12 point font, and should clearly demonstrate the broad-based benefits expected to living marine resource habitats, and how these benefits will be achieved through the proposed partnership activities. It should identify the problems the partnership plans to address and the geographic area over which the partnership will operate. The narrative should describe short- and long-term objectives and goals, methods for identifying potential projects, the criteria that will be used for selecting restoration proposals and determining the success of projects implemented at a community level under the partnership, and the relevance and significance of the proposed partnership to enhancing habitat to benefit living marine resources. If specific projects are identified in the application, the narrative should describe the historic condition of the restoration sites, the processes which resulted in degradation of the area and how these processes have been abated to allow for successful restoration, if applicable.

The narrative should describe how partners will ensure that all necessary environmental permits and consultations will be secured prior to the use of federal funds for implementing individual projects that may require permits and consultations. It should also identify the anticipated partnership duration (between 12 and 36 months), the amount and timing of funds requested, potential sources of national/regional and local match, including cash match available at the national/regional level for supporting project sub-awards, and any restrictions the partner may impose on the further use of federal funds. For example, if the partner anticipates limiting competition, restricting the level of funding per project, designating funding for specific project phases, cost categories or to specific recipients, restricting habitat types, organization types or geographic locations from consideration, these limitations or restrictions should be clearly detailed in the narrative. It is NOAA's intention to maintain maximum competition and flexibility in the use of federal restoration funds.

The project narrative should also include information on how the selection of projects under the partnership with NOAA will promote significant community involvement in fisheries habitat restoration and stewardship, and describe how the partnership will be advanced or promoted. It should also describe the organizational structure of the applicant, detail their qualifications and identify proposed partnership staff. Anticipated project partners other than the applicant should be identified, and supporting documentation indicating their intent to participate and identifying their potential contributions should be included. This is particularly important for those applying to establish regional partnerships. Inclusion of supplementary materials such as letters of support, restoration planning documents, photographs, etc. are strongly encouraged and do not count toward the narrative page limit. Applicants should not assume prior knowledge on the part of NOAA as to the relative merits of the partnership described in the application.

Applications should not be bound or stapled and should be printed on one side only. Three hard copies (including one original signed in blue ink) of each application are required and

must be submitted to the NOAA Restoration Center (see subsection G. "Addresses").

Applicants may opt to submit additional hard copies (seven are needed for reviewing purposes) if it does not cause a financial hardship. An additional copy may also be submitted on a PC-compatible diskette or CD ROM in either Microsoft Word or WordPerfect formats.

#### C. Submission Dates and Times

Applications for partnership funding under the CRP must be received by or postmarked by December 5, 2003. Applications received or postmarked after that time will not be considered for funding. Applications submitted via the U.S. Postal Service must have an official postmark; private metered postmarks are not acceptable. Applications delivered by a delivery service after the postmark date will be accepted for review if the applicant can document that the application was provided to the delivery service on or prior to the specified postmark cut-off date. In any event, applications received later than 15 business days following the closing date will not be accepted. No facsimile or electronic mail applications will be accepted. Applicants desiring acknowledgment of receipt of their applications should include a self-addressed post card.

#### D. Intergovernmental Review

Applications under this program are subject to the provisions of Executive Order 12372, "Intergovernmental Review of Federal Programs." Any applicant submitting an application for funding is required to complete item 16 on SF-424 regarding clearance by the State Single Point of Contact (SPOC) established as a result of EO 12372. To find out about and comply with a State's process under EO 12372, the names, addresses and phone numbers of participating SPOC's are listed in the Office of Management and Budget's home page at:

<http://www.whitehouse.gov/omb/grants/spoc.html>.

#### E. Funding Restrictions

##### 1. Allowable Costs



Funds awarded cannot necessarily pay for all the costs that the recipient might incur in the course of carrying out the partnership. Generally, costs that are allowable include salaries, equipment and supplies, as long as these are “necessary and reasonable” specifically for the purpose of the award. Allowable costs are determined by reference to the OMB Circulars A-122, “Cost Principles for Non-profit Organizations”; A-21, “Cost Principles for Education Institutions”; A-87, “Cost Principles for State, Local and Indian Tribal Governments”; and Federal Acquisition Regulation, codified at 48 Code of Federal Regulations, subpart 31.2 “Contracts with Commercial Organizations.” All cost reimbursement sub-awards (subgrants, subcontracts, etc.) are subject to those federal cost principles applicable to the particular type of organization concerned.

Pre-award costs are generally unallowable. The earliest date for receipt of awards will be approximately 120-150 days after the close of this solicitation. Applicants should consider this selection and processing time in developing requested start dates for proposed restoration activities. Pre-award costs incurred before a notice of award document is provided by the NOAA Grants Office is at the applicant's own risk.

## 2. Indirect Costs

The budget may include an amount for indirect costs if the applicant has an established indirect cost rate with the federal government. Indirect costs are essentially overhead costs for basic operational functions (e.g., lights, rent, water, insurance) that are incurred for common or joint objectives and therefore cannot be identified specifically within a particular partnership. For this solicitation, the federal share of the indirect costs must not exceed the lesser of either the indirect costs the applicant would be entitled to if the negotiated federal indirect cost rate were used or 25 percent of the direct costs proposed. For those situations in which the use of the applicant's indirect cost rate would result in indirect costs greater than 25 percent of the federal direct costs, the difference may be counted as part of the non-federal share. A copy of

the current, approved negotiated indirect cost agreement with the federal government should be included with the application. If the applicant does not have a current negotiated rate and plans to seek reimbursement for indirect costs, documentation necessary to establish a rate must be submitted within 90 days of receiving an award.

#### F. Other Requirements

The Department of Commerce Pre-Award Notification Requirements for Grants and Cooperative Agreements contained in the Federal Register notice of October 1, 2001 (66 FR 49917), as amended by the Federal Register notice published on October 30, 2002 (67 FR 66109), are applicable to this solicitation.

#### G. Addresses

Send applications to Christopher D. Doley, Director, NOAA Restoration Center, National Marine Fisheries Service, 1315 East West Highway (F/HC3), Silver Spring, MD 20910-3282; ATTN: CRP Partnership Applications.

### **V. Application Review and Selection Information**

#### A. Evaluation Criteria

Reviewers will assign scores to proposals ranging from 0 to 100 points based on the following five standard NOAA evaluation criteria and respective weights specified below.

##### 1. Importance and Applicability of Proposal (20 points)

This criterion ascertains whether there is intrinsic value in the proposed work and/or relevance to NOAA, federal, regional, state or local activities. For the Community-based Habitat Restoration National and Regional Partnerships competition this includes:

Applications will be evaluated on the national or regional extent of proposed habitat restoration activities and the types of habitats that are proposed to be restored under the partnership and the range of species expected to benefit from on-the-ground restoration

activities. In particular, NOAA will evaluate partnership applications based on the potential and proposed magnitude of the partnership to restore, protect, conserve, and enhance habitats and ecosystems vital to self-sustaining populations of living marine resources under NOAA Fisheries stewardship.

## 2. Technical/Scientific Merit (20 points)

This criterion assesses whether the approach is technically sound and/or innovative, if the methods are appropriate, and whether there are clear project goals and objectives. For the Community-based Habitat Restoration National and Regional Partnerships competition this includes:

Applications will be evaluated on the feasibility of the partnership to accomplish stated goals and objectives, the likelihood that the partnership will achieve significant progress within the proposed project period, and the degree to which the partnership and projects selected are likely to catalyze future restoration and protection of living marine resources. Applications will be reviewed for: (a) the adequacy of proposed strategies for coordination with NOAA in all phases of project selection, design, implementation and monitoring; (b) the degree to which the selection process is competitive, and ensures that sub-awards are made according to technical evaluations and identified weighting factors consistent with NOAA priorities; (c) the likelihood that restoration activities supported through the partnership will be consistent with regional or community planning processes, or other stakeholder mechanisms used to prioritize projects; (d) the degree to which projects selected for sub-awards are expected to have long-lasting results that will be sustained into the future through conservation easements or similar protection; and (e) whether there is an adequate plan to ensure that projects implemented through sub-awards will meet all federal, state and local environmental laws and obtain applicable permits and consultations.

## 3. Overall Qualifications of Applicants (20 points)

This criterion ascertains whether the applicant possesses the necessary education, experience, training, facilities and administrative resources to accomplish the project. For the Community-based Habitat Restoration National and Regional Partnerships competition this includes:

Applicants will be evaluated on their capacity to conduct the scope and scale of the proposed work by examining the qualifications, past experience, and potential of the project partners to effectively identify, develop, select, manage and oversee all project phases, particularly financial and administrative management of sub-awards, and their ability to ensure scientifically-based monitoring is implemented on individual projects funded through sub-awards. The applicant should demonstrate their abilities to effectively and efficiently manage a significant number of projects simultaneously. Communities and/or organizations developing their first partnership proposal may not be able to document past experience and, therefore, will be evaluated on their potential to effectively manage and oversee all administrative aspects as described above, and by their description of qualifying characteristics such as education, training and/or experience of primary project participants, and facilities and/or administrative resources and capabilities available to support the partnership work, including the availability of technical expertise to handle sub-award processes and guide individual habitat restoration projects to a successful completion.

#### 4. Project Costs (20 points)

This criterion evaluates the budget to determine if it is realistic and commensurate with the project needs and time-frame. For the Community-based Habitat Restoration National and Regional Partnerships competition this includes:

Applications will be evaluated for whether the proposed budget is realistic, sufficiently detailed and commensurate with the project needs and time frame, and for appropriate budget breakdown and justification of both federal and non-federal shares by object class as listed on form SF-424A. A separate SF-424A budget form should be used to break down multi-year

budget requests into annual funding increments. Applications proposing to use restoration funds to expand an organization's day-to-day activities are unlikely to obtain a high score under this criterion. In order to encourage on-the-ground restoration, if funding for salaries is requested, it should be used to support staff directly involved in overseeing the accomplishment of the restoration work that will take place under the partnership and should contain a detailed breakdown of personnel hours and costs by task.

Applications also will be evaluated on the need for funding and their cost-effectiveness by examining: (a) the percentage of funds that will be dedicated to all phases of restoration project implementation including physical, on-the-ground restoration compared to the percentage that is for administration and overhead to be used by the partner--proposals that limit administrative costs to 15% at the national or regional level will be likely to score higher for this criterion; (b) the overall leverage of NOAA funds anticipated, including the amount of cash match available on the national/regional level specifically to support project implementation; and (d) the ability of the applicant organization to demonstrate that a significant benefit will be generated for a reasonable cost. NOAA desires cost sharing to leverage funding and to further encourage partnerships among government, industry, and academia.

#### 5. Outreach, Education and Community Involvement (20 points)

This criterion assesses whether the proposal provides a focused and effective education and outreach strategy regarding NOAA's mission. For the Community-based Habitat Restoration National and Regional Partnerships competition this includes:

Applications will be evaluated on the suitability of proposed actions to involve citizens and broaden their participation in habitat restoration projects and the diversity and strengths of other involved partners, as well as on the potential to publically advance the partnership and increase awareness of the importance of habitat restoration. Community involvement may include: (a) hands-on training and restoration activities undertaken by volunteers; (b) sponsorship from local

entities, either through in-kind goods and services (earth moving, technical expertise, conservation easements) or cash contributions; (c) public education and outreach; (d) support from state and local governments; and (e) ability to achieve long-term stewardship for restored resources and to generate a community conservation ethic.

#### B. Review and Selection Process

Applications will be screened by CRP staff to determine if they are eligible, complete and in accordance with instructions detailed in the standard NOAA Grants Application Package. Eligible restoration partnership proposals will undergo a technical review, ranking, and selection process. As appropriate during this process, the NOAA Restoration Center will solicit individual technical evaluations of each partnership proposed and may request evaluations from other NOAA offices, the Regional Fishery Management Councils, other Federal and state agencies, such as state coastal management agencies and state fish and wildlife agencies, and private and public sector restoration experts who have knowledge of a specific applicant, program or its subject matter. Proposals also will be reviewed by NOAA regional and headquarters staff to determine how well they meet the stated aims of the CRP, and how well the proposal meets the goals of the NOAA Restoration Center.

Applications for proposed partnerships will be evaluated by at least three individual technical reviewers, including those mentioned in the above paragraph, according to the criteria and weights described in this solicitation. The proposals will be rated, and reviewer comments and composite project scores and a rank order will be presented to the Director of the NOAA Restoration Center (Director). Director, in consultation with CRP staff, will select the partnership proposals to be recommended to the Grants Management Division for funding and determine the amount of funds available for each approved partnership. The proposals shall be recommended in the rank order unless the proposal is justified to be selected out of rank order based upon one or more of the following factors: (1) the availability of funds; (2) the balance and

distribution of funds: a) geographically, b) by type of institution, c) by type of partners, d) by research areas, e) by project types;

(3) duplication of proposed activities with other activities funded or considered for funding by NOAA and/or other federal agencies; (4) program priorities and policy factors; (5) applicant's prior award performance; (6) partnerships with/participation of targeted groups. Hence, awards may not necessarily be made to the highest scored proposals. Unsuccessful applicants will be notified in writing that their proposal was not among those recommended for funding, and unsuccessful applications will be kept on file until the close of the following fiscal year then destroyed.

Successful applicants generally will be selected approximately 60-90 days after the close of this solicitation. The earliest date for receipt of awards will be approximately 120-150 days after the close of this solicitation, when all NOAA/applicant negotiations of cooperative activities have been completed. Applicants should consider this selection and processing time in developing requested start dates for proposed partnership activities.

## **VI. Award Administration Information**

### **A. Award Notices**

Successful applicants may be asked to modify objectives, work plans, or budgets prior to final approval of an award. The exact amount of funds to be awarded, the final scope of activities, the partnership duration, and specific NOAA cooperative involvement with the activities of each partnership will be determined in pre-award negotiations among the applicant, the NOAA Grants Office, and the NOAA CRP staff. Partnership activities should not be initiated in expectation of federal funding until a notice of award document is received from the NOAA Grants Office.

### **B. Administrative and National Environmental Policy Act Requirements**

Successful applicants that accept a NOAA award under this solicitation will be bound by

Department of Commerce standard terms and conditions. This document will be provided with a copy of the award by the NOAA Grants Office, and can be found at:

<http://www.osec.doc.gov/oebam/pdf/ST&C-rev-1002.pdf>. In addition, award documents provided by the NOAA Grants Office may have the following special terms and conditions, as applicable:

(1) [APPLICANT] will ensure that implementation of the projects sub-awarded under this partnership will meet all federal environmental laws and regulations by completing any required federal consultations and obtaining all applicable permits and approvals prior to expenditure of federal funds for those activities requiring permits and consultations. Verification of federal permits and environmental compliance related to projects sub-awarded under this cooperative agreement must be presented to the NOAA Program Officer prior to project implementation. In addition, please provide a list of all local, state, and tribal permits acquired for each project sub-awarded under this partnership. Verification of permits and approvals for projects sub-awarded under the partnership can be presented in the form of an email or letter to the Program Officer listing the project name, the permit or approval, its tracking number, the issuance date, and the expiration date applicable to that project. (2) [APPLICANT] will not expend any funds for project implementation until they have received written concurrence from NOAA Fisheries on project selection and clearance from NOAA Fisheries on National Environmental Policy Act (NEPA) compliance on a project specific basis. [APPLICANT] agrees to assist and cooperate with NOAA Fisheries in the preparation of any NEPA compliance documentation related to projects sub-awarded under this cooperative agreement. (3) [APPLICANT] must maintain project files for the restoration projects funded under this agreement. These files must contain, at a minimum, project work plans and copies of all federal, state and local permits and consultations associated with project implementation. (4) [APPLICANT] must display, where appropriate and practical, publically visible signs indicating that the project has received funding through the NOAA Community-based Restoration Program. These signs should also identify other contributing



partners. These contributions should also be acknowledged in all communications with the media and the public and in all outreach related to the projects. (5) The partnership should be referred to as the "[Regional or National] Partnership between the NOAA Community-based Restoration Program and [APPLICANT]". (6) Progress reports for sub-awards made under the partnership must use the NOAA Community-based Restoration Program's progress report narrative format and form approved by OMB under control number 0648-0472.

Under each partnership awarded, the CRP will review individual project proposals considered for sub-award funding for National Environmental Policy Act compliance on a project by project basis. Restoration activities that are not covered by the NOAA Fisheries Community-based Restoration Program Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) will be reviewed under NOAA Administrative Order (NAO) 216-6, Environmental Review Procedures for Implementing The National Environmental Policy Act (NEPA). The CRP EA and FONSI can be found at:

[http://www.nmfs.noaa.gov/habitat/restoration/projects\\_programs/crp/assessment/ea\\_main.html](http://www.nmfs.noaa.gov/habitat/restoration/projects_programs/crp/assessment/ea_main.html).

NAO 216-6 is located at <http://www.rdc.noaa.gov/~nao/216-6.html>.

Successful partnerships will need to ensure that project proposals considered for sub-award funding provide enough detail for NOAA to make a NEPA determination, and that funds will not be released until NOAA completes necessary NEPA documentation. Successful applicants are encouraged to consult with NOAA as early as possible on projects considered for sub-awards to obtain guidance with respect to the level and scope of information needed by NOAA to comply with NEPA; a phased approach may be recommended.

### C. Reporting Requirements

Financial reports are due semi-annually and should be submitted directly to the NOAA Grants Office. Financial reports cover the periods from October 1 - March 31 (due by April 30) and April 1 - September 30 (due by October 30).

Progress reports are due semi-annually and cover 6-month periods that begin with the start date an applicant has selected. Progress reports are due directly to the NOAA Community-based Restoration Program office and are due no later than 30 days after each 6-month project period. A final report is due no later than 90 days after the expiration date of an award.

Progress reports should detail partnership activities that have occurred at the national or regional level during the reporting period that correspond with goals and objectives identified in the narrative, as well as provide specific, project-related information, as described below.

Progress reports for individual projects sub-awarded under each approved partnership must be submitted using a specific format for narrative information and a form for project specific details. This format and form can be found on the NOAA Restoration Center webpage at: [http://www.nmfs.noaa.gov/habitat/restoration/projects\\_programs/crp/partners\\_funding/project\\_reports.html](http://www.nmfs.noaa.gov/habitat/restoration/projects_programs/crp/partners_funding/project_reports.html).

Use of this required progress report form and format involves collection-of-information requirements subject to the Paperwork Reduction Act, and has been approved by OMB under control number 0648-0472 and expires on April 30, 2006. Complete details on reporting requirements will be provided to successful applicants in the award documentation provided by the NOAA Grants office.

## **VII. Agency Contacts**

For further information contact Robin Bruckner, Alison Ward or Melanie Severin at (301) 713-0174, or by fax at (301) 713-0184, or by e-mail at [Robin.Bruckner@noaa.gov](mailto:Robin.Bruckner@noaa.gov), [Alison.Ward@noaa.gov](mailto:Alison.Ward@noaa.gov) or [Melanie.Severin@noaa.gov](mailto:Melanie.Severin@noaa.gov).

## **VIII. Other Information**

The Community-based Restoration Program expects to solicit applications for implementing individual habitat restoration projects in FY 2004. A separate notice of funding availability will be issued to request individual project applications.

Prior notice and an opportunity for public comment are not required by the Administrative Procedure Act [5 U.S.C. 553 (a) (2)] or by any other law for this document concerning grants, benefits, and contracts. Accordingly, a regulatory flexibility analysis is not required by the Regulatory Flexibility Act (5 U.S. C. 601 et seq.).

This action has been determined to be not significant for purposes of Executive Order 12866.

The use of the standard NOAA grants application package referred to in this notice involves collection-of-information requirements subject to the Paperwork Reduction Act. The use of Standard Forms 424, 424A, 424B, SF-LLL, and CD-346 have been approved by OMB under the respective control numbers 0348-0043, 0348-0044, 0348-0040, 0348-0046, and 0605-0001.

Notwithstanding any other provision of law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the Paperwork Reduction Act, unless that collection displays a currently valid OMB control number.